

Exhibit A

From: Scott Tenley <scott.tenley@zfzlaw.com>
Sent: Friday, March 10, 2023 12:49 PM
To: Grant Gelberg; Jim Vaughn; Rachel Fiset; Takuma Nishimura; Daniel Watson; Waqas Anis; Jonathan Karchmer; Nitin Khanna
Cc: #C-M SKYRYSE - MOOG - LW TEAM; Rena Andoh; Travis Anderson; Kazim Naqvi; Tyler Baker; truitt.a; James Salem; rfluskey@hodgsonruss.com; Lai Yip; Baloga, Cassandra (NY); Storey, Kelley (DC); Zahoory, Arman (Bay Area); Ben Heller; Catherine Thompson; Alyssa Titche
Subject: RE: Moog v. Skyryse/Subpoena for records produced to iDS

Jim,

On behalf of Mr. Pilkington, we join Mr. Gelberg's position in all respects and assert Mr. Pilkington's Fifth Amendment privilege over all potentially responsive materials received from him including, but not limited to, the catalogue of the devices in IDS' possession attached to your March 9 email.

Regards,

Scott Tenley

Scott D. Tenley
ZWEIBACK, Fiset & ZALDUENDO LLP
Office: (213) 266-5174
Mobile: (949) 302-6570

From: Grant Gelberg <grant.gelberg@halpernmay.com>
Sent: Friday, March 10, 2023 11:24 AM
To: Jim Vaughn <JVaughn@idsinc.com>; Rachel Fiset <Rachel.Fiset@zfzlaw.com>; Takuma Nishimura <tnishimura@sheppardmullin.com>; Daniel Watson <dwatson@idsinc.com>; Waqas Anis <wanis@idsinc.com>; Jonathan Karchmer <JKarchmer@idsinc.com>; Nitin Khanna <nkhanna@idsinc.com>
Cc: SKYRYSEMOOG.LWTEAM@lw.com; Rena Andoh <RAndoh@sheppardmullin.com>; Travis Anderson <TAnderson@sheppardmullin.com>; Kazim Naqvi <KNaqvi@sheppardmullin.com>; Tyler Baker <TBaker@sheppardmullin.com>; truitt.a <truitt.a@wssllp.com>; James Salem <JSalem@sheppardmullin.com>; rfluskey@hodgsonruss.com; Lai Yip <LYip@sheppardmullin.com>; Cassandra.Baloga@lw.com; Kelley.Storey@lw.com; Arman.Zahoory@lw.com; Scott Tenley <scott.tenley@zfzlaw.com>; Ben Heller <Ben.Heller@zfzlaw.com>; Catherine Thompson <catherine.thompson@halpernmay.com>; Alyssa Titche <alyssa.titche@halpernmay.com>
Subject: Re: Moog v. Skyryse/Subpoena for records produced to iDS

Jim,

I write on behalf of defendant Misook Kim. The production of the catalogue of items described in your email, below, raises important privilege issues. Upon learning of the subpoena, we immediately reached out to government counsel. To give us an adequate opportunity to have those discussions with the government, we're asserting Ms. Kim's Fifth Amendment privilege over all potentially responsive materials received from her including, but not limited to, the

catalogue of the devices in IDS' possession attached to your March 9 email. Accordingly, we object to any production on that basis at this time. We will let you know when we have had an opportunity to confer with the government.

With respect to compliance with the terms of the subpoena, including paragraph 2, it is sufficient for purposes of an objection to note that Ms. Kim has asserted privilege over all information that would be responsive to the subpoena, including information that may be disclosed in a traditional privilege log. It is our position that paragraph 2 of the subpoena contemplates a privilege log for communications, which are not applicable here, and therefore additional information is not necessary in order to properly invoke the privilege.

Best,
Grant

Grant B. Gelberg
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From: Jim Vaughn <JVaughn@idsinc.com>
Date: Thursday, March 9, 2023 at 7:42 AM
To: rachel.fiset <rachel.fiset@zfzlaw.com>, Takuma Nishimura <tnishimura@sheppardmullin.com>, Daniel Watson <dwatson@idsinc.com>, Waqas Anis <wanis@idsinc.com>, Jonathan Karchmer <JKarchmer@idsinc.com>, Nitin Khanna <nkhanna@idsinc.com>
Cc: SKYRYSEMOOG.LWTEAM@lw.com <SKYRYSEMOOG.LWTEAM@lw.com>, Rena Andoh <RAndoh@sheppardmullin.com>, Travis Anderson <TAnderson@sheppardmullin.com>, Kazim Naqvi <KNaqvi@sheppardmullin.com>, Tyler Baker <TBaker@sheppardmullin.com>, truitt.a <truitt.a@wssllp.com>, James Salem <JSalem@sheppardmullin.com>, rfluskey@hodgsonruss.com <rfluskey@hodgsonruss.com>, Lai Yip <LYip@sheppardmullin.com>, Grant Gelberg <grant.gelberg@halpernmay.com>, Cassandra.Baloga@lw.com <Cassandra.Baloga@lw.com>, Kelley.Storey@lw.com <Kelley.Storey@lw.com>, Arman.Zahoory@lw.com <Arman.Zahoory@lw.com>, Scott Tenley <scott.tenley@zfzlaw.com>, Ben Heller <ben.heller@zfzlaw.com>
Subject: [EXTERNAL] Re: Moog v. Skyryse/Subpoena for records produced to iDS

Rachel/Grant,

I am reattaching the subpoena. Rachel, not to worry, they have not asked for a production of data in the traditional sense. The subpoena does not seek any of the underlying data, it instead demands a catalogue of what has been provided to iDS, a list of the forensic images created, that sort of thing. I am also attaching the evidence tracker to help you understand what has been provided to iDS. Please note that I cannot use a blanket objection of privilege for this subpoena. If after having reviewed the subpoena, you believe there is a legitimate and specific item on the list that should not be disclosed due to privilege, page 2 tells you how that specific privileged item must be identified. We will also need to have you signed on with iDS for a change in counsel. I will follow-up later today on that. And finally, if you are not approved, are you authorized to make legal decisions on behalf of the iDSs? **NOT** trying to come across the wrong way, it's just that yesterday was the first time I heard that WSSLLP was out so I'm making sure I dot my I's on my side.

Thanks

Jim Vaughn, GCFE, EnCE
Managing Director

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From: Rachel Fiset <Rachel.Fiset@zfzlaw.com>

Date: Wednesday, March 8, 2023 at 9:39 PM

To: Jim Vaughn <JVaughn@idsinc.com>, Takuma Nishimura <tnishimura@sheppardmullin.com>, Daniel Watson <dwatson@idsinc.com>, Waqas Anis <wanis@idsinc.com>, Jonathan Karchmer <JKarchmer@idsinc.com>, Nitin Khanna <nkhanna@idsinc.com>

Cc: "SKYRYSEMOOG.LWTEAM@lw.com" <SKYRYSEMOOG.LWTEAM@lw.com>, Rena Andoh <RAndoh@sheppardmullin.com>, Travis Anderson <TAnderson@sheppardmullin.com>, Kazim Naqvi <KNaqvi@sheppardmullin.com>, Tyler Baker <TBaker@sheppardmullin.com>, Alexander Truitt <truitt.a@wssllp.com>, James Salem <JSalem@sheppardmullin.com>, "rfluskey@hodgsonruss.com" <rfluskey@hodgsonruss.com>, Lai Yip <LYip@sheppardmullin.com>, "grant.gelberg@halpernmay.com" <grant.gelberg@halpernmay.com>, "Cassandra.Baloga@lw.com" <Cassandra.Baloga@lw.com>, "Kelley.Storey@lw.com" <Kelley.Storey@lw.com>, "Arman.Zahoory@lw.com" <Arman.Zahoory@lw.com>, Scott Tenley <scott.tenley@zfzlaw.com>, Ben Heller <Ben.Heller@zfzlaw.com>

Subject: RE: Moog v. Skyryse/Subpoena for records produced to iDS

[EXTERNAL SENDER]

Counsel - can someone please send the subpoena mentioned below? We did not receive the attachment. My firm and Grant Gelberg's firm substituted into the case this week (and as of yesterday the court had not approved). We need a moment to get up to speed regarding all issues and absolutely object to any production in the meantime as we assume a privilege review is necessary and any production would be improper at this juncture.

Thank you.

Rachel Fiset
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From: Anthony Green <green.a@wssllp.com>

Sent: Wednesday, March 8, 2023 6:23 PM

To: Jim Vaughn <JV Vaughn@idsinc.com>; Takuma Nishimura <tnishimura@sheppardmullin.com>; Daniel Watson <dwatson@idsinc.com>; Waqas Anis <wanis@idsinc.com>; Jonathan Karchmer <JKarchmer@idsinc.com>; Nitin Khanna <nkhanna@idsinc.com>

Cc: Alexander Truitt <truitt.a@wssllp.com>; SKYRYSEMOOG.LWTEAM@lw.com; Rena Andoh <RAndoh@sheppardmullin.com>; Travis Anderson <TAnderson@sheppardmullin.com>; Kazim Naqvi <KNaqvi@sheppardmullin.com>; Tyler Baker <TBaker@sheppardmullin.com>; James Salem <JSalem@sheppardmullin.com>; rfluskey@hodgsonruss.com; Lai Yip <LYip@sheppardmullin.com>; Rachel Fiset <Rachel.Fiset@zfzlaw.com>; grant.gelberg@halpernmay.com; Cassandra.Baloga@lw.com; Kelley.Storey@lw.com; Arman.Zahoory@lw.com

Subject: Re: Moog v. Skyrise/Subpoena for records produced to iDS

Jim,

Please be advised that Alex Truitt and I are no longer counsel to the individual defendants. We should be removed from future emails. I have cc'd Mr. Pilkington's substitute counsel, Rachel Fiset, and Ms. Kim's substitute counsel, Grant Gelberg. All future communications should include them.

Thank you and it was a pleasure working with you and your team,

Anthony Green

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Jim Vaughn <JV Vaughn@idsinc.com>

Sent: Wednesday, March 8, 2023 9:17:38 PM

To: Takuma Nishimura <tnishimura@sheppardmullin.com>; Daniel Watson <dwatson@idsinc.com>; Waqas Anis <wanis@idsinc.com>; Jonathan Karchmer <JKarchmer@idsinc.com>; Nitin Khanna <nkhanna@idsinc.com>

Cc: Alexander Truitt <truitt.a@wssllp.com>; SKYRYSEMOOG.LWTEAM@lw.com <SKYRYSEMOOG.LWTEAM@lw.com>; Cassandra.Baloga@lw.com <Cassandra.Baloga@lw.com>; Kelley.Storey@lw.com <Kelley.Storey@lw.com>; Rena Andoh <RAndoh@sheppardmullin.com>; Travis Anderson <TAnderson@sheppardmullin.com>; Kazim Naqvi <KNaqvi@sheppardmullin.com>; Tyler Baker <TBaker@sheppardmullin.com>; James Salem <JSalem@sheppardmullin.com>; rfluskey@hodgsonruss.com <rfluskey@hodgsonruss.com>; Lai Yip <LYip@sheppardmullin.com>; Anthony Green <green.a@wssllp.com>; Arman.Zahoory@lw.com <Arman.Zahoory@lw.com>

Subject: Re: Moog v. Skyrise/Subpoena for records produced to iDS

Dear All,

Please see the attached subpoena. Absent any claim of privilege, we intend to produce the items required by mail. If you intend to exercise privilege over any of these items, please let me know by the end of the week.

Thanks

Jim Vaughn, GCFE, EnCE

Managing Director

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